

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1, 6, 7, 9, 11, 15-17, 27 and 32-39 are pending. Claims 1, 6, 7, 9, 11, 15-17, 27 and 32-39 stand rejected.

Claim 1 has been amended. Claims 17 and 32-39 have been canceled. No claims have been added. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. Applicants submit that the amendments do not add new matter.

Applicants reserve all rights with respect to the applicability of the doctrine of equivalents.

The Examiner has rejected claims 1, 6, 7, 9, 11, 15-17, 27, and 32-39 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner has stated the following:

It is not clear how the claims read on the elected invention of figure 4 (the election is made on 1/16/2003). The claims appear to direct to a non-elected species of figure 5, where a fusible filler forming columnar structure. Applicant is not allowed to pursue a non-elected invention by filing RCE. Applicant is advised to file a divisional application in order to pursue the non-elected invention of figure 5.

(p. 2, Office Action 021005)

Applicants have amended claim 1 to overcome the Examiner's rejection.

Applicants have amended claim 1 to indicate that a thermal interface material includes a plurality of non-fusible particles having a mean diameter of approximately 25 microns, within the binder material, the non-fusible particles randomly positioned with respect to the binder material, the fusible filler selected from the group consisting of, wherein the fusible filler is selected from the group consisting of an indium alloy that includes silver in an approximate range of 1 to 20 percent by weight, a tin alloy that includes copper in an approximate range of 0.7 to 1.4 percent by weight, a tin alloy that includes silver in an approximate range of 1 to 5 percent by weight, a tin alloy that includes tin in an approximate range of 42 to 85 percent by weight and bismuth in

an approximate range of 15 to 58 percent by weight, a tin alloy that includes silver in an approximate range of 3.0 to 4.0 percent by weight and copper in an approximate range of 0 to 1.7 percent by weight, a tin alloy that includes silver in an approximate range of 3 to 4 percent by weight and bismuth in an approximate range of 1 to 6 percent by weight, and a tin alloy that includes silver approximately 1 percent by weight and bismuth approximately 57 percent by weight is coated onto a portion of the non-fusible particles wherein a volume percent of the fusible filler to non-fusible particles is in a range of approximately 10 – 50 percent by volume of fusible filler, wherein the non-fusible particles are selected from the group consisting of ceramic fiber, graphite fibers, carbon fibers, aluminum oxides, zinc oxide, graphite, carbon nanotubes, and silicon carbide.

It is submitted that Kang cited by the Examiner in the Office Actions dated 07/28/04 and 01/15/04 does not disclose the limitations of amended claim 1.

Kang merely discloses copper particles, or diamond and aluminum nitride particles coated with metals such as copper, nickel (Ni), or palladium (Pd) coated with tin, indium, and bismuth antimony (col. 4, lines 28-41), in contrast to ceramic fibers, graphite fibers, carbon fibers, aluminum oxides, zinc oxide, graphite, carbon nanotubes, and silicon carbide coated with an indium alloy that includes (1-20) weight percent (wt %) of silver, a tin alloy that includes 0.7-1.4 wt % of copper, a tin alloy that includes 1-5 wt % of silver, a tin alloy that includes (42-85) wt % of tin and 58-15 wt % bismuth, a tin alloy that includes (3.0-4.0) wt % of silver and (0-1.7) wt % of copper, a tin alloy that includes (3-4) wt % of silver and (1-6) wt % of bismuth, or a tin alloy that includes 1 wt % of silver and 57 wt % of bismuth, as recited in amended claim 1.

Therefore, it is respectfully submitted that amended claim 1 and its dependent claims 6, 7, 9, 11, 15, 16, and 27 are patentable over the references cited by the Examiner.

It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome. If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

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By: _____



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